

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-20, 27 and 28 are pending in the application. Claims 1, 12 and 27 are independent claims. Applicant respectfully traverses the rejections of the current Office Action.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Datta in view of Marmigere et al., U.S. Patent Publication No. 2004/0068579 A1 (hereinafter "Marmigere"). Applicant respectfully traverses the rejection.

Amended independent claim 1 recites:

A method of communicating between two computing devices, the method comprising:

receiving, by a first computing device, a request for content that includes an item cached by the first computing device and another item that is not cached by the first computing device;

sending, by the first computing device to a second computing device, the request and an identifier associated with the cached item;

receiving, by the first computing device from the second computing device, content generated by the second computing device based on the request and the identifier, the identifier being usable by the second computing device to determine content that is not to be included in the generated content, the request being useable by the second computing device to determine content to be included in the generated content;

combining, by the first computing device, the cached item and the generated content, and

sending, by the first computing device, the combined content to a destination. (Emphasis added.)

The proposed combination does not suggest at least "the identifier being usable by the second computing device to determine content that is not to be included in the generated content, the request being useable by the second computing device to determine content to be included in the generated content." Instead, the proposed combination suggests, according to the disclosure of Marmigere, using a URL at a Web content server to identify content that is to be sent to a Proxy cache server. Once the content is identified by the Web content server, using the URL, the content is sent to the Proxy cache server. (*See Marmigere, page 6, paragraph [0060], lines 11-16.*) The Office asserts the URL used by the Web content server is the same as the "identifier" recited in claim 1. Accordingly, the combination does not suggest using an "identifier" to determine "content that is not to be included in the generated content" and a "request" to determine "content to be included in the generated content," as is recited in claim 1.

For at least the reasons stated above, Applicant respectfully requests the Office to reconsider and withdraw the rejection of claim 1. Note, the Applicant has elected, at this juncture, not to address the propriety of the Office's reasoning for combining Datta in view of Marmigere, but this should not be construed as an indication that the Applicant agrees with such reasoning.

Dependent claims 2-11 depend from claim 1. The rejection with regard to these claims should be withdrawn by virtue of the dependency. Moreover, these claims recite features that, when taken together with those of claim 1, are not suggested by the proposed Datta in view of Marmigere combination.

Amended independent claim 12 recites:

A system comprising:

a proxy server configured to process a request for content having items that are cached, the proxy server being further configured to forward the request along with identifiers associated with the cached items; and

a content server configured to dynamically generate content specified in the request from the proxy server based on the request and the identifiers, *the dynamically generated content excluding content of the request that relates to the identifiers associated with the cached items, the dynamically generated content including content of the request not excluded by the identifiers*, and the dynamically generated content having information for the proxy server to combine the dynamically generated content with the cached items for processing the request. (Emphasis added.)

The proposed Datta in view of Marmigere combination does not suggest at least the limitations "the dynamically generated content excluding content of the request that relates to the identifiers associated with the cached items, [and] the dynamically generated content including content of the request not excluded by the identifiers." (Emphasis added.) Instead, the proposed combination suggests, according to the disclosure of Marmigere, using a URL at a Web content server to identify content that is to be sent to a Proxy cache server. Once the content is identified by the Web content server, using the URL, the content is sent to the Proxy cache server. Accordingly, the combination does not suggest the combined "excluding" and "including" related recitation of claim 12.

Additional details concerning the deficiencies of the proposed Datta in view of Marmigere combination are give hereinabove, and such discussion may be applied to claim 12, as well. The Office is respectfully requested to consider the above discussion.

For at least the reasons stated above, Applicant respectfully requests the Office to reconsider and withdraw the rejection of claim 12.

Dependent claims 13-20 depend from claim 12. The rejection with regard to these claims should be withdrawn by virtue of the dependency. Moreover, these claims recite features that, when taken together with those of claim 12, are not suggested by the proposed Datta in view of Marmigere combination.

Additional Claims

Applicant has included herewith additional claims 27-28 for the Office's consideration. Applicant submits that the additional claims are at least allowable for the reasons discussed hereinabove. For example, the proposed Datta in view of Marmigere combination at least does not suggest the operational specifics of the claimed proxy server, and the combination also does not suggest the specifics of the claimed content server.

Conclusion

In accordance with the foregoing remarks, Applicant believes that the pending claims are allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney at the provided email address.

Respectfully Submitted,

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